

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12643 of John J. Splawn, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the lot area requirements (Sub-section 3301.1) to permit the construction of a row dwelling in the R-3 District at the premises 3616 N Street, N.W., (Square 1223, Lots 78 and 79).

HEARING DATE: April 26, 1978

DECISION DATE: April 26, 1978 (Bench Decision)

FINDINGS OF FACT:

1. The subject site is located on the south side of N St., N.W., between 36th and 37th Sts., N.W., and is known as 3616 N St., N.W. The property is in an R-3 District.
2. The subject site is 1,800 square feet in area and is unimproved. A dwelling which existed on the site was razed due to a fire, approximately seven years ago.
3. Adjacent to this property on the east (3612 N Street, N.W.) is a two story row dwelling. Adjacent on the west is a vacant lot. The remainder of the block to 37th Street contains two story row dwellings. At the corner of 37th and N Streets on the north side of N Street, is a parking lot which is owned by Georgetown University. The University has a number of facilities outside of the main campus scattered throughout this area (east of 37th Street). The major portion of Square 1223 is devoted to residential uses. Two story row dwellings are the predominant housing type. The eastern portion of the Square (along 36th Street, N.W.) contains various commercial establishments including a number of restaurants, clothing stores, a shoe repair shop and a dry cleaning establishment.

4. The R-3 District in which this site is located is fairly extensive and covers most of the Georgetown area with the exception of the Wisconsin Avenue and M Street commercial strips and the waterfront. M Street, two blocks south of this property, is zoned C-2-A and the eastern portion of Square 1223 is zoned C-1.

5. The applicant proposes to construct a three story row house with basement and garage. The first floor will contain one bedroom, kitchen, living room, dining room and powder room, the second floor, three bedrooms, a sewing room, two powder rooms and a room with a bathtub and the third floor three bedrooms, one sitting room, and one powder room. The dwelling will also have a garage and utility room in the basement level.

6. The subject site meets all the requirements of the R-3 District with the exception of the minimum lot area. The R-3 District requires a minimum lot area of 2,000 square feet. The site is thirty feet wide by sixty feet deep, a total of 1800 square feet in area, which is ten percent less than the minimum required.

7. Lot sizes in the subject Square 1223 range from approximately 960 square feet and less to approximately 4000 square feet. The average lot size devoted to residential use is approximately 1600 square feet.

8. Advisory Neighborhood Commission 3A filed no recommendation in the application.

9. There was no opposition to the application.


10. The Citizens Association of Georgetown had no objection to the application and favored a dwelling on the site.

11. The Municipal Planning Office, by report dated April 21, 1978, recommended approval of the application on the grounds that the use of the subject property for a single family dwelling is appropriate. The applicant's proposed construction complies with all the requirements of the R-3 District with the exception of minimum lot area. The two lots have a combined area of 1800 square feet and the R-3 minimum is 2,000 square feet. The area variance required is relatively small, 200 square feet or ten percent. There are few other uses to which this property could be put given the limitations of the R-3 District. The Municipal Planning Office further felt that the construction of a single family dwelling as proposed by the applicant would add to the stability of the immediate neighborhood and would be in keeping with intent and spirit of the Zoning Regulations. The Board so finds.

CONCLUSIONS OF LAW AND OPINION

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical difficulty. Based on the findings of fact the Board concludes that the relatively shallow depth of the property creates such a difficulty, that the variance sought is minimal and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Walter B. Lewis, Charles R. Norris, William F. McIntosh and Leonard L. McCants to grant, Chloethiel Woodard Smith not voting, not having heard the case).



STEVEN E. SHER
Executive Director

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FINAL DATE OF ORDER: 1 JUN 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY
PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS
AFTER THE EFFECTIVE DATE OF THIS ORDER.